IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 26716 of 2006(E)

PETITIONER:

VARGHESE, S/O. ANTONY,
MALIAKKAL HOUSE, MURINGOOR P.O., CHALAKUDY.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, THRISSUR.

2. CHALAKUDY BLOCK PANCHAYATH, REPRESENTED
BY ITS SECRETARY.

3. THE PROJECT OFFICER,
DISTRICT RURAL DEVELOPMENT AUTHORITY,
DISTRICT PANCHAYATH BUILDING, AYYANTHOLE,
THRISSUR.

4. JOY, S/O. ANTONY,
MALIAKKAL HOUSE, MURINGOOR P.O., CHALAKUDY.

BY ADV. SMT.K.V.BHADRA KUMARI
GOVERNMENT PLEADER SRI.K.J.MUHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO.26716 of 2006

Dated this the 29th day of October , 2007

JUDGMENT

The grievance of the petitioner is that the 2nd respondent Block Panchayat has effected change of names in their register in respect of a bunk shop on the basis of a fabricated consent letter. Ext.P10 and P11 petitions have been submitted by him before the District Collector and one of the reliefs sought for is a direction to the District Collector to pass orders on Exts.P10 and P11. The petitioner also prays for quashment of Exts.P6, P8 and P9 on the basis of which mutation has been effected acting upon the consent letters. Since the allegation essentially is that the handwriting and signature of the petitioner has been forged by his brother (4th respondent), I am of the view that it is for the petitioner to move the Police. I dispose of this writ petition permitting the petitioner to file appropriate petition before the Sub Inspector of Police, Chalakudy. If the Sub Inspector of Police receives any complaint/petition from the petitioner, he will investigate into the same and take such action as is warranted.

2. Sri.P.Sreekumar submits that even if it is assumed that the consent was a genuine one, then also there was no justification for effecting mutation since under no circumstances transfer of ownership of the bunk which is allowed under the scheme in question is permissible. The District Collector is the authority to look into this matter.

I direct the District Collector to consider Ext.P11, hear the petitioner and the 4th respondent and take a decision. Decision as directed above will be taken by the District Collector on Ext.P11at his earliest and at any rate within one month of receiving a copy of this judgment.

PIUS C. KURIAKOSE,
JUDGE.

Dpk